

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-cv-22287-ALTMAN

DANIA DIAZ,

Petitioner,

v.

SANDS POINTE OCEAN BEACH
RESORT CONDOMINIUM
ASSOCIATION, INC., *et al.*,

Defendants.

ORDER IN ACTIONS BROUGHT UNDER THE FAIR LABOR STANDARDS ACT

The Complaint in this action alleges violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, (“FLSA”). To assist the Court in the management of this case, and in an effort to foster early and cost-effective resolution, the parties are **ORDERED** to comply with the following procedures:

1. Under Rule 8 of the Federal Rules of Civil Procedure, a plaintiff is required to make a “short and plain statement of the claim.” While this Rule places only a light burden on a plaintiff, we require complaints filed under the FLSA to include, at a minimum, a statement setting forth the following with respect to each Plaintiff(s):

- a. An initial estimate of the total amount of alleged unpaid wages;
- b. A preliminary calculation of such wages;
- c. The approximate period during which the alleged FLSA violations occurred;
and
- d. The nature of the wages (e.g., overtime or straight time).

By **June 11, 2025**, the Plaintiff shall file a “Statement of Claim” (and, if the Complaint does not contain the foregoing information, an amended complaint that conforms to these requirements).

The Plaintiff shall then promptly serve a copy of this Order, the Statement of Claim, and copies of all supporting documents (including time sheets, pay stubs, etc.) upon counsel for the Defendant(s).


2. Within **twenty (20) days** of being served with the Plaintiff's Statement of Claim, the Defendant(s) shall file a "Response to the Plaintiff's Statement of Claim," setting forth in detail any defenses the Defendant(s) may raise to the Plaintiff's claim(s) and serve on the Plaintiff copies of all supporting documents.

3. This matter is hereby **REFERRED** to United States Magistrate Judge Enjoliqué A. Lett for a settlement conference, which shall be held within **thirty (30) days** of the Defendant(s)' Response to the Plaintiff's Statement of Claim. Counsel for all parties shall confer and then contact Magistrate Judge Lett's Chambers prior to the due date for the Defendant(s)' Response. Except as provided under Local Rule 16.2.E, the appearance of counsel and each party, or representatives of each party with full authority to enter into a full and complete settlement, is mandatory. **Appearances shall be in person; telephonic appearances are prohibited absent a court order.** All discussions, representations, and statements made at the settlement conference shall be confidential and privileged. If the case is settled at the settlement conference, counsel shall promptly notify the Court by filing a notice of settlement, signed by counsel of record, within **seven (7) days** of the settlement conference.

4. If the settlement conference is unsuccessful, all parties shall participate in a subsequent mediation, which will take place in accordance with the deadlines set forth in the Court's Scheduling Order.

5. Failure to comply with **ANY** of these procedures may result in the imposition of appropriate sanctions, including the dismissal of this action or entry of default.

DONE AND ORDERED in the Southern District of Florida on May 28, 2025.

A handwritten signature in black ink, appearing to be 'Roy K. Altman', written over a horizontal line.

ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record